

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROSHONE ELISE WASHINGTON,

NO. CIV. S-04-294 LKK/DAD

Plaintiff,

v.

O R D E R

MICHELLE BROWN; LORRAINE
CANADY; and DISCOVERY CALL
CENTER,

Defendants.

_____ /

On July 21, 2005, defendants' counsel in the above-captioned case was ordered to show cause why sanctions should not be imposed for failure to timely file a separate pretrial statement. Counsel for all parties were ordered to show cause why sanctions should not be imposed for their failure to file a joint pretrial statement signed by all counsel as required by the court's Status Order. The court is in receipt of the parties' responses.

////

////

1 Plaintiff's counsel asserts that he had called and written to
2 defendant regarding the need to file the joint undisputed/disputed
3 facts, but that defendants failed to respond. Plaintiff therefore
4 submitted the joint statement without being able to confer with
5 counsel for defendants. Defendants' counsel, however, provided no
6 good cause for failing to file the separate pretrial statement and
7 to confer with plaintiff to allow for the filing of the joint
8 pretrial statement. Accordingly, the court makes the following
9 ORDERS:

10 1. No good cause being shown, counsel for defendants is
11 sanctioned in the amount of one hundred and fifty (\$150.00)
12 dollars. This sum shall be paid to the Clerk of the Court no later
13 than thirty (30) days from the effective date of this order.
14 Counsel shall file an affidavit accompanying the payment of this
15 sanction which states that it is paid personally by counsel, out
16 of personal funds, and is not and will not be billed, directly or
17 indirectly, to the client or in any way made the responsibility of
18 the client as attorneys' fees or costs.

19 2. The order to show cause as to plaintiff's counsel is
20 DISCHARGED.

21 IT IS SO ORDERED.

22 DATED: August 9, 2005.

23 /s/Lawrence K. Karlton
24 LAWRENCE K. KARLTON
25 SENIOR JUDGE
26 UNITED STATES DISTRICT COURT